

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
STEPHEN KELLY,**

Plaintiff,

**8:20-cv-722
(GLS/DJS)**

v.

**ALBANY COUNT PROBATION
DEPARTMENT,**

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Stephen Kelly

Pro Se

18-A-3202

Gouverneur Correctional Facility

Scotch Settlement Road

P.O. Box 480

Gouverneur, NY 13642

Gary L. Sharpe

Senior District Judge

ORDER

The above-captioned matter comes to this court following an Report-Recommendation and Order (R&R) by Magistrate Judge Daniel J. Stewart duly filed on July 9, 2020. (Dkt. No. 6.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Report-Recommendation and Order (Dkt. No. 6) is
ADOPTED in its entirety; and it is further

ORDERED that the Complaint is **DISMISSED** with prejudice as to the
Albany County Probation Department; and it is further

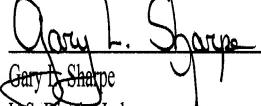
ORDERED that plaintiff is granted leave to file an amended complaint to
name a proper defendant within thirty (30) days of this court's order¹; and it is
further

ORDERED that plaintiff's amended complaint, filed on July 29, 2020,
(Dkt. No. 7), is referred to the Magistrate Judge for further review; and it is
further

ORDERED that the Clerk provide a copy of this Order to plaintiff in
accordance with the Local Rules of Practice.

IT IS SO ORDERED.

July 31, 2020
Albany, New York


Gary L. Sharpe
U.S. District Judge

¹ Plaintiff filed an amended complaint on July 29, 2020 before the court had an opportunity to review the R&R. (Dkt. No. 7.)